

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO.71 of 2005.

IN

FIRST APPEAL NO. 39 OF 2005.

Office notes, office
memoranda of Coram,
appearances, Court's Court's or Judge's orders.
orders or directions
and Registrar's orders.

Shri A.Narayanan holding for Shri S.M.Vidyarthi for
the Applicant.

Shri T.J.Mendon for the Respondent Nos.1 to 5.

CORAM : ABHAY S.OKA, J.

DATED : 5th October, 2007.

P.C.:

1. Heard the learned Advocate for the Applicant and the Advocate for the Respondents Nos.1 to 5. Office report shows that the Applicant has deposited the decretal amount with the Tribunal. The report dated 6th April 2005 submitted by the Tribunal shows that save and except a sum of Rs.4,00,000/- invested in the name of the minor claimants, rest of the amount has been disbursed to the concerned Claimants as per the impugned Award.

2. As a substantial amount has already been disbursed, the sum of Rs.4,00,000/- which is invested in fixed deposit will have to be

maintained as it is till the final disposal of the Appeal.

3. Hence the Civil Application is disposed of by directing that the amount of Rs.4,00,000/- which is invested by the Tribunal in Fixed Deposit with the Corporation Bank will remain invested in Fixed Deposit till the disposal of the Appeal. The Tribunal will take steps for renewing the fixed deposit from time to time till disposal of the Appeal.

4. Withdrawal of the amounts already made by the concerned Claimants will be subject to the final outcome of the Appeal.

5. The parties to act on an authenticated copy of this order.

Judge.